

**STATE OF SOUTH CAROLINA**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**DOCKET NO. 2007-358-E**

IN THE MATTER OF:

Application of Duke Energy Carolinas,	)	
LLC for Approval of Energy Efficiency	)	<b>PETITION TO INTERVENE</b>
Plan Including an Energy Efficiency Rider	)	
And Portfolio of Energy Efficiency Programs	)	

Wal-Mart Stores East, LP (“Wal-Mart”) hereby petitions the Public Service Commission of South Carolina (“Commission”) pursuant to R.103-825 of the Commission's Rules and Regulations to intervene and be made a party of record in the above-captioned docket. Wal-Mart states the following grounds in support of its petition:

1. Wal-Mart owns and operates retail stores within Duke Energy Carolinas, LLC’s (“Duke”) service territory. Therefore, Wal-Mart purchases large quantities of electricity from Duke, which is a significant portion of Wal-Mart’s cost of operations. Wal-Mart has a direct and material interest in the issues to be addressed and resolved by the Commission in this docket, and these interests cannot be adequately represented by another party in this proceeding.

2. At this stage of the proceeding, Wal-Mart does not have sufficient information to determine what positions it will take.

3. Wal-Mart’s mailing address is:

Wal-Mart Stores East LP., a Delaware Limited Partnership  
Sam M. Walton Development Complex  
2001 SE 10th Street  
Bentonville, AR 72716-0550

4. Wal-Mart is represented by the law firm of Jenkins at Law, LLC in certain matters regarding its electric rates and service. Pursuant to Rule 103-804 T.(1)(b) of the

Commission's Rules of Practice and Procedure, Jenkins at Law, LLC will associate with Rob Tyson of the law firm Sowell Gray Stepp & Laffitte, LLC of Columbia, South Carolina, local counsel licensed to practice in South Carolina. Service and correspondence regarding this proceeding should be sent to:

Alan R. Jenkins  
Jenkins at Law, LLC  
2265 Roswell Road  
Suite 100  
Marietta, GA 30062  
Tel. No. (770) 509-4866  
Fax No. (770) 973-5365  
Email: aj@jenkinsatlaw.com

and to Wal-Mart's Representative:

Steve W. Chriss  
Manager, State Rate Proceedings  
Wal-Mart Stores, Inc.  
2001 SE 10th St.  
Bentonville, AR 72716-0550  
Tel. No. (479) 204-1594  
Fax No. (479) 273-6851  
Email: Steve.Chriss@wal-mart.com

5. Wal-Mart expects to present the testimony of Mr. Steve W. Chriss, who will need approximately one (1) hour to present his direct testimony.

6. Granting Wal-Mart's request to be made a party of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing its views and concerns may be developed.

WHEREFORE, for the reasons set forth above, Wal-Mart respectfully requests permission to intervene in this proceeding.

Respectfully submitted,

s/Robert E. Tyson, Jr.  
Robert E. Tyson, Jr.  
Sowell Gray Stepp & Laffitte, LLC  
1310 Gadsden Street  
P.O. Box 11449  
Columbia, SC 29211  
Tel No. (803) 231-7838  
Fax No. (803) 231-7888  
Email: [rtyson@sowell.com](mailto:rtyson@sowell.com)

Alan R. Jenkins  
Jenkins at Law, LLC  
2265 Roswell Road  
Suite 100  
Marietta, GA 30062  
Tel. No. (770) 509-4866  
Fax No. (770) 973-5365  
Email: [aj@jenkinsatlaw.com](mailto:aj@jenkinsatlaw.com)

*Attorneys for Wal-Mart Stores, Inc.*

November 12, 2007

## CERTIFICATE OF SERVICE

I certify that I have this day served a copy of the foregoing **Petition to Intervene** in Docket No. 2007-358-E upon the following persons by causing copies of the same to be emailed (where applicable) and placed in an envelope with adequate postage affixed thereon and deposited in the United States Mail addressed as follows:

Nanette S. Edwards  
Office of Regulatory Staff  
1441 Main Street  
Suite 300  
Columbia, South Carolina 29201  
nsedwar@regstaff.sc.gov

Catherine E. Heigel  
Assistant General Counsel  
Duke Energy Carolinas, LLC  
P.O. Box 1006, EC03T  
Charlotte, North Carolina 28201-1066  
ceheigel@duke-energy.com

Bonnie D. Shealy  
Robinson, McFadden & Moore, P.C.  
P.O. Box 944  
Columbia, South Carolina 29202  
bshealy@robinsonlaw.com

Frank R. Ellerbe III  
Robinson, McFadden & Moore, P.C.  
1901 Main Street, Suite 1200  
P.O. Box 944  
Columbia, South Carolina 29202  
fellerbe@robinsonlaw.com

Scott Elliott  
Elliott & Elliott, P.A.  
721 Olive Street  
Columbia, South Carolina 29205  
sellott@elliottlaw.us

Jane Lewis-Raymond  
Vice President & General Counsel  
Piedmont Natural Gas Company, Inc.  
P.O. Box 33068  
Charlotte, North Carolina 28233  
jane.lewis-raymond@piedmontng.com

David Carpenter  
Managing Director Regulatory Affairs  
Piedmont Natural Gas Company, Inc.  
P.O. Box 33068  
Charlotte, North Carolina 28233  
david.carpenter@piedmontng.com

James H. Jeffries, IV  
Moore & Van Allen PLLC  
100 North Tryon Street, Suite 4700  
Charlotte, North Carolina 28202-4003

Office of Regulatory Staff  
P.O. Box 11263  
Columbia, SC 29211

This 12 day of November, 2007.

s/Tracy R. Murchison  
Tracy R. Murchison